

REMARKS

This Preliminary Amendment, filed in conjunction with a Request for Continued Examination ("RCE"), represents a full and timely response to the Final Office Action mailed August 7, 2006. The filing of this RCE and Amendment is permissible under 37 C.F.R. § 1.114. See M.P.E.P. § 706.07(h).

The present Amendment amends claims 22-24 and 30-32 in order to further clarify a portion of the scope sought to be patented, and otherwise disputes certain findings of fact made in connection with the rejection of the claims. Support for these amendments can be found variously throughout the specification, including, for example, on page 65, lines 5-12. No new matter has been added.

Accordingly, claims 22-38 and 40 are currently pending in this application.

In view of this response, Applicants believe that all pending claims are in condition for allowance. Reexamination and reconsideration in light of the above amendments and the following remarks is respectfully requested.

Claim Rejections- 35 U.S.C. § 103

In the Final Office Action, claims 22-25, 27, 29, 30-33, 35, 36, 38, and 40 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook (WO 02/02330) in view of Murcia et al. (U.S. Patent No. 6,270,187) and Shinobu (JP 2002 240287). Claims 28 and 37 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al. and Shinobu, and further in view of Ikeda et al. (US Patent No. 6,309,050). Claims 26 and 34 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al. and Shinobu, and further in view of Wen et al. (U.S. Patent No. 6,046,822). Claims 26 and 34 were further rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al., Shinobu, and Ikeda et al., and further in view of Wen et al. These rejections are respectfully traversed.

Each of independent claims 22-24 and 30-32 discloses, *inter alia*, a liquid discharging head having liquid discharging portions, each of which comprises a liquid chamber containing liquid to be discharged and a plurality of heating elements arranged in a predetermined direction inside the liquid chamber to generate a bubble, wherein the influence of discharging failure of a

defective discharging portion is reduced by prohibiting the defective liquid discharging portion from discharging and discharging droplets from a liquid discharging portion different from the defective liquid discharging portion while **controlling the discharging direction by forming a difference in the time in which a current is passed through at least one of the heating elements and at least another one of the heating elements so as to control the discharging direction of the liquid discharged** from the liquid discharging outlet, according to stored information about the defective liquid discharging portion.

In contrast, Silverbrook, Murcia et al., Ikeda et al., Wen et al., and Shinobu, either alone or in combination, fail to disclose, teach or even suggest controlling a discharging direction by forming a difference in the time in which a current is passed through at least one of the heating elements and at least another one of the heating elements so as to control the discharging direction of the liquid discharged.

Accordingly, since Silverbrook, Murcia et al., Ikeda et al., Wen et al and Shinobu fail to fail to disclose, teach, or suggest each and every limitation of claims 22-24 and 30-32, a *prima facie* case of obviousness has not been established, and withdrawal of this rejection is respectfully requested. *See, e.g., In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); *accord.* MPEP 2143.03.

Moreover, aside from the novel limitations recited therein, claims 25-29, 33-38, and 40, being dependent either directly or indirectly upon allowable base claims 22-24 and 30-32, are also allowable for at least the reasons set forth above. Withdrawal of the rejection of these claims is therefore courteously solicited.

CONCLUSION

For at least the foregoing reasons, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the examiner is respectfully requested to pass this application to issue. If the examiner has any comments or suggestions that could place this application in even better form, the examiner is invited to telephone the undersigned attorney at the below-listed number.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2826 from which the undersigned is authorized to draw.

Dated: December 7, 2006

Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

RADER, FISHMAN & GRAUER PLLC

1233 20th Street, N.W. Suite 501

Washington, D.C. 20036

Tel: (202) 955-3750

Fax: (202) 955-3751

Customer No. 23353

Attorney for Applicant